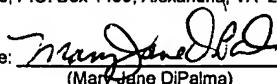


I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: January 27, 2004 Signature:   
(Mary Jane DiPalma)

Docket No.: APBI-P04-035  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

In re Patent Application of:  
Baltimore et al.

JAN 30 2004

Application No.: 10/037415

Confirmation No.: 7747 OFFICE OF PETITIONS

Filed: January 4, 2002

Art Unit: 1646

For: NUCLEAR FACTORS ASSOCIATED WITH  
TRANSCRIPTIONAL REGULATION

Examiner: Not Yet Assigned

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

MS Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Abandonment mailed by the Patent Office in this case on January 20, 2004 (copy enclosed), we offer the following evidence of a complete, timely-filed response by the Applicant to the outstanding Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures (Notice) of July 23, 2002, and receipt of same in the United States Patent and Trademark Office (the Office). In view of the following, Applicants submit that the Notice of Abandonment was issued in error, and a withdrawal of the holding of abandonment is hereby requested. The submitted evidence includes:

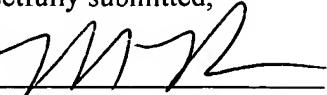
1. A copy of the papers printed out from the electronic submission of the sequence listing on filed on September 12, 2002; and
2. A copy of an electronic Acknowledgement Receipt received upon submission of the sequence listing.

Applicants reiterate that the Notice of Abandonment was issued in error, and a withdrawal of the holding of abandonment is hereby requested. No petition fee is due for a

petition under 37 CFR 1.181. However, if there are any additional charges or credits, please apply them to Deposit Account No. 18-1945.

Dated: January 27, 2004

Respectfully submitted,

By 

Melissa S. Rones, Ph.D.

Registration No.: 54,408  
ROPES & GRAY LLP  
One International Place  
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(617) 951-7000  
(617) 951-7050 (Fax)  
Attorneys/Agents For Applicant



Electronic Version 1.0.3

Stylesheet Version: 1.0

Submission Type: BIO

Sequence Filing

## TRANSMITTAL FORM

RECEIVED

JAN 30 2004

OFFICE OF PETITIONS

Application Number: 10/037,415

Attorney Docket  
Number: APBI-P04-  
035

# Nuclear Factors Associated with Transcriptional Regulation

First Named Inventor: David Baltimore

## SUBMITTED BY

Name: Matthew P. Vincent

Registration Number: 36,709

Electronic Signature Mark: MPV Date Signed: 20020912

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*I, the undersigned, certify that I have viewed a display of document(s) being electronically submitted to the United States Patent and Trademark Office, using either the USPTO provided style sheet or software, and that this is the document(s) I intend for initiation or further prosecution of a patent application noted in the submission. This document(s) will become part of the official electronic record at the USPTO.*

## Attached Files:

sequence-listing APBI-P04-035SequenceListing.txt

biotechnology-listing-filing APBI-P04-035SequenceListingbio.xml

I hereby certify that this correspondence is being transmitted to the Patent and Trademark Office on the following date. 2002-09-12

Name: Matthew P. Vincent  
Electronic Signature Mark: MPV

Comments:

## Acknowledgment Receipt:

SUBMISSION TYPE: BIO Sequence Filing  
APPLICATION NUMBER: 10037415  
FIRST NAMED INVENTOR: David Baltimore  
TITLE OF INVENTION: Nuclear Factors Associated with Transcriptional  
Regulation  
ATTORNEY DOCKET NUMBER: APBI-P04-035

### FILE LISTING:

transmittal	tranAPBI-P04-035SequenceListing.xml 6351 Bytes
sequence-listing	APBI-P04-035SequenceListing.txt 38336 Bytes
biotechnology-listing-filing	APBI-P04-035SequenceListingbio.xml 957 Bytes
biotechnology-listing-filing	u-bio.dtd 3619 Bytes
biotechnology-listing-filing	e-bioseq.xsl 6067 Bytes

EFS ID: 17841

FILE SIZE: 22467 Bytes

TIMESTAMP: Thu Sep 12 17:21:16 EDT 2002

MESSAGE DIGEST: f5+5zEAj+liDUVEXiLbnaA==

DIGITAL CERTIFICATE HOLDER NAME: cn=Matthew P. Vincent, ou=Registered Attorneys

UPLOAD STATUS: You have successfully uploaded your submission to USPTO